



4555-107 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of :  
Austin, R. et al. :

Serial No. 09/707,892 :

Filed: November 6, 2000 :

For: ELECTRODE-LESS :  
DIELECTROPHORESIS FOR :  
POLARIZABLE PARTICLES :  
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Group Art Unit: TBD  
Examiner: TBD

Commissioner for Patents  
Washington, D.C. 20231

SIR:

**COMMUNICATION**

It has come to the attention of Applicant's attorney that the Response to Notice to File Missing Parts for the above-described application, which was filed via First Class Mail on May 31, 2001, has not been received by the U.S. Patent Office. Applicant hereby encloses a complete copy of the filed Response, including copies of the following: acknowledgement postcard, Response to Notice to File Missing Parts form, fully-executed Declaration, check for \$120 and original Notice to File Missing Parts form, including a one-month extension of time. Applicant submits that the Notice of File Missing Parts was filed within the term for response.

Applicant hereby also requests under the provisions of 37 CFR 1.136(a) that the period for filing a response to the above-identified Notice to File Missing Parts of Application, mailed March 8, 2001, be extended for five months to October 9, 2001, if necessary. The Commissioner is authorized to charge any additional extension fees for deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,



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Diane Dunn McKay  
Reg. No. 34,586  
Attorney for Applicants

DATE: October 9, 2001

MATHEWS, COLLINS, SHEPHERD & GOULD, P.A.  
100 Thanet Circle, Suite 306  
Princeton, New Jersey 08540-3662  
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EXPRESS MAIL CERTIFICATE

4555-107 US

"Express Mail" Mailing Label Number: EL912767602US

Express Mail Corporate Account Number: X079384

Date of Deposit: October 9, 2001

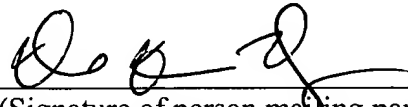
Type of Documents:

1. Acknowledgment Post Card;
2. "Express Mail" Certificate;
3. Communication;
4. Copy of Response to Notice to File Missing Parts originally mailed May 31, 2001 including copy of signed Declaration, copy of acknowledgement postcard, copy of check for \$120 and copy of Notice to File Missing Parts of Nonprovisional Application; and
5. Check in the amount of \$1,010.00.

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents, Washington, D.C. 20231; BOX: Missing Parts.

Diane Dunn McKay

(Typed or printed name of person mailing paper or fee)

  
(Signature of person mailing paper or fee)



TITLE: Electrode-Less Dielectrophoresis for

CASE NO.: 4555-107 US

SERIAL NO.: 09/707,892

The Patent and Trademark Office acknowledges, and has stamped hereon, the date of the receipt of the items checked below and acknowledges authority to charge all fees to Account 13-2165.

☐ PATENT APPLICATION - COMPLETE WITH:

- ☐ FEE AUTHORITY (x2) ☐ CHECK  
☐ PRIORITY DOCUMENT  
☐ SHEETS OF (IN) FORMAL DRAWINGS  
☒ DECLARATION & POWER OF ATTORNEY (Signed)  
☐ EXPRESS MAIL CERT. #  
☐ SMALL ENTITY STATEMENT \$120.00

- ☐ AMENDMENT ☐ ASSIGNMENT ☒ CHECK ☐ APPEAL NOTICE  
☐ APPEAL BRIEF ☐ LETTER ☐ PETITION  
☐ PRELIMINARY STATEMENT ☐ PRIOR ART STATEMENT  
☐ STIPULATION ☐ EXTENSION OF TIME  
☐ NOTICE OF OPPOSITION

ISSUE FEES: ☐ BASE ISSUE ☐ SUPPLEMENTAL

- ☐ CERTIFICATE OF CORRECTION  
☐ DECLARATION

☐ TRADEMARK APPLICATION - COMPLETE WITH:

- ☐ FEE AUTHORITY (x2) ☐ CHECK  
☐ DRAWING ☐ SPECIMEN (x5)  
☐ PRIORITY DOCUMENT

COPYRIGHT APPLICATIONS - COMPLETE WITH:

- ☐ TRANSMITTAL LETTER  
☐ CHECK  
☐ SPECIMENS

☒ Response to Notice to File Missing Parts  
☒ Reply of Notice MATTHEWS, COLLINS, SHEPHERD & GOULD  
to file missing parts.  
DDM



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/707,892	11/06/2000	Robert H. Austin	4555-107US

Diane Dunn McKay  
Mathews Collins Shepherd & Gould PA  
100 Thaneet Circle  
Suite 306  
Princeton, NJ 08540

## FORMALITIES LETTER



\*OC00000005840559\*

Date Mailed: 03/08/2001



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

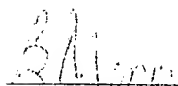
FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/12/2001 WABRHAM1 00000034 132165 09707892

01 FC:205

65.00 CH

# Response To Notice To File Missing Parts Of Application

Filing Date Granted (PTO-1533)(Small Entity)

Docket No.

4555-107 US

In Re Application Of: AUSTIN, R. et al.

Serial No.

09/707,892

Filing Date

11/06/2000

Examiner

TBD

Group Art Unit

TBD

Invention: ELECTRODE-LESS DIELECTROPHORESIS FOR POLARIZABLE PARTICLES

## TO THE ASSISTANT COMMISSIONER FOR PATENTS:

### Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on

March 8, 2001

Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.

☒ 1 verified small entity declaration(s)

☐ is/are attached.

☒ ~~was/were filed on~~ Applicants submit that they qualify as a Small Entity.

☐ A separate request for refund.

☐ Other (list):

10/12/00 001 WABR HAM1 00000034 132165 09707892

02 FEB 15

55.00 CH

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
**4555-107 US**

In Re Application Of: **AUSTIN, R. et al.**

Serial No.  
**09/707,892**

Filing Date  
**11/06/2000**

Examiner  
**TBD**

Group Art Unit  
**TBD**

Invention: **ELECTRODE-LESS DIELECTROPHORESIS FOR POLARIZABLE PARTICLES**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

**Attention: Manager, Application Branch**

☒ Completion of application fees as calculated below:

☐ Utility application filing fee \_\_\_\_\_

☐ Design application filing fee \_\_\_\_\_

☐ Total number of independent claims = \_\_\_\_\_

☐ Total number of claims = \_\_\_\_\_

☐ Multiple dependent claims \_\_\_\_\_

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$65.00**

☐ Petition and fee for filing by other than all the inventors or a person not the inventor \_\_\_\_\_

☐ Fee for processing an application filed with a non-English language specification \_\_\_\_\_

☐ Fee for processing and retention of application \_\_\_\_\_

Total completion of application fees **\$65.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☒ One month    ☐ Two months    ☐ Three months    ☐ Four months    ☐ Five months

from: **May 8, 2001**  
Date

until: **June 8, 2001**  
Date

Total time extension fees **\$55.00**

Total fees due **\$120.00**

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.  
4555-107 US

In Re Application Of: AUSTIN, R. et al.

Serial No.  
09/707,892

Filing Date  
11/06/2000

Examiner  
TBD

Group Art Unit  
TBD

Invention: **ELECTRODE-LESS DIELECTROPHORESIS FOR POLARIZABLE PARTICLES**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Attention: Manager, Application Branch

The fee of **\$120.00** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 13-2165  
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 13-2165  
A duplicate copy of this sheet is enclosed.

  
Signature

Dated: May 31, 2001

Diane Dunn McKay  
Reg. No. 34,586  
Mathews, Collins, Shepherd & Gould, P.A.  
100 Thanet Circle, Suite 306  
Princeton, NJ 08540  
(609) 924-8555 Telephone  
(609) 924-3036 Facsimile

I certify that this document and fee is being deposited  
on May 31, 2001 with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.

  
Signature of Person Mailing Correspondence

Diane Dunn McKay

Typed or Printed Name of Person Mailing Correspondence

CC: